Los Angeles County Sheriff's Department
Officer Involved Shooting

Report Date: 06/04/02	Bureau/Station/Facility: Temple Station-FOR I / SEB	Admin. Invest.? ☐	Hit? ☐

Incident Information

URN: 002-07708-0586-055	Date: 05/31/02	Time: 2000 Hours
City or Station: Commerce / Bell	Nature of Incident: Deputies locate empty vehicle of wanted A187 suspect. While surveilling and formulating plan, suspect leaves in vehicle. During pursuit suspect, fires on LASD, CHP and Bell PD officers. One lead pursuit deputy returns fire. Suspect stops on [redacted] street, his car is disabled by SEB deputy shooting tires. Suspect surrenders, no injuries.	
Location: 1st Bandini Blvd / 710 FWY (Leyba) 2nd 6631 [redacted] ([redacted])		

Location Type (*circle one or more*): Backyard, Beach, Business, Freeway, Industrial, Park, Parking Lot, Residence, Rural, School, **(Street)** [circled], Other: ______

Lighting (*circle only one*): Darkness, Daylight, Other, **(Street Lights)** [circled]

Weather (*circle only one*): **(Clear)** [circled], Cloudy, Fog, Rain

Distance: 25' and 80yds

Incident Type (*circle one or more*): Accidental, **(Armed Person)** [circled], Fleeing Suspect, Foot Pursuit, Gun Take Away, Moving Vehicle, Sniper/Ambush, Startle, Struggle Involved, Traffic Stop, Unarmed Person, Unintentional, **(Vehicle Pursuit)** [circled], Warrant Service, Other: ______

Initiated by (*circle only one*): Arrest Warrant, Call, **(Observation)** [circled], One Person Unit, Other, Search Warrant, Two Person Unit

Prior Activity (*circle only one*): Detective, Inmate Transport, Other, **(Routine Patrol)** [circled]

Total # of Shots Fired by Deputy	Total # of Shots Fired by Suspect	Aero Unit?	Canine Unit?
12 (Patrol) / 5 (SEB)	15+	☒	☒

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (*circle only one*)	ShiftType (*circle only one*)
[redacted]	Vance	Brian		EM **(PM)** Day	**(Regular)** Overtime Off Duty
[redacted]	Wiard	Robert		EM **(PM)** Day	**(Regular)** Overtime Off Duty
				EM PM Day	Regular Overtime Off Duty

Non-Employee Witnesses

Last Name	First Name	M.I.	Street Address	City	Zip Code	Work Ph	Home Ph
[redacted]	[redacted]		California Highway Patrol			(323) 980-4600	

Supervisors

Employee #	Last Name	First Name	M.I.	(*circle one or more*)
[redacted]	Wiard	Robert		**(On Duty)**, **(Present during shooting)**, Witness to shooting, Involved in shooting
				On Duty, Present during shooting, Witness to shooting, Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
[redacted]	Webb	Ray	

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	Johnson	Rodney	

PSTD Use Only

SH # 2064761

SH-R-438A rev. 3/97

See Reverse

Officer Involved Shooting

URN: 002-07708-0586-055

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
05/31/02	2100	03/25/03	

Employee #	Last Name	First Name	M.I
[redacted]	Porlier	Clay	
[redacted]	Gregg	Larry	
[redacted]	O'Brien	Thomas (Mike)	

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED *(one code per block)*

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
S-1	E-1	FH	LO	9			NN	
E-1	S-1	FH	BR	9	Y	Y	NN	
E-2	S-1	FR	RM	30	Y	Y	NN	

See Front Side

Officer Involved Shooting
Involved Employee Information

URN: 002-07708-0586-055

Involved Employee

E 1

Field	Value
Employee #	[redacted]
Last Name	Leyba
First Name	Robert
M.I.	
Sex	M
Race	White
Rank	Deputy
Unit Assignment	Temple Station-FOR I
Work Assignment (Unit #, Module, etc.)	52F
ShiftTime (circle only one): EM / PM / Day	PM (circled)
ShiftType (circle only one): Regular / Overtime / Off Duty	Regular (circled)
Intoxication/Drug Usage?	☐
Substance Used	
Hospital Admission?	☐
Hospital Name	
Coroner Case?	☐
Coroner Case #	
Interviewed?	☒
Hrs of sleep prior to shooting	8
Duty Time (hrs)	[redacted]
Clothing (circle only one): Plain Clothes no Vest / Raid Jacket w/ Vest / Plain Clothes w/ Vest / Uniform no Vest / Raid Jacket no Vest / Uniform w/ Vest	Uniform w/ Vest (circled)
Other Factors	
Age	[redacted]
Height	6'01"
Weight	200
Range Qualification Date	[redacted]
PPC Qualification Date	[redacted]
Laser Training Date	[redacted]
Certified with Weapon Used?	[redacted]
Patrol Certification?	[redacted]
Certification Unit	[redacted]
Prior Shootings?	☒
Number of Prior Shootings	1
Field Training Officer Emp # / Last Name / First Name / M.I.	[redacted] / [redacted] / [redacted] /
Field Training Officer Emp # / Last Name / First Name / M.I.	[redacted] / [redacted] / [redacted] /

E 2

Field	Value
Employee #	[redacted]
Last Name	[redacted]
First Name	[redacted]
M.I.	
Sex	M
Race	White
Rank	Deputy
Unit Assignment	SEB
Work Assignment (Unit #, Module, etc.)	Long Rifle
ShiftTime (circle only one): EM / PM / Day	PM (circled)
ShiftType (circle only one): Regular / Overtime / Off Duty	Regular (circled)
Intoxication/Drug Usage?	☐
Substance Used	
Hospital Admission?	☐
Hospital Name	
Coroner Case?	☐
Coroner Case #	
Interviewed?	☒
Hrs of sleep prior to shooting	8
Duty Time (hrs)	[redacted]
Clothing (circle only one): Plain Clothes no Vest / Raid Jacket w/ Vest / Plain Clothes w/ Vest / Uniform no Vest / Raid Jacket no Vest / Uniform w/ Vest	Uniform w/ Vest (circled)
Other Factors	Deputy [redacted] shooting was for tactical reasons-he took out the tires on the suspect's truck to disable it.
Age	[redacted]
Height	6'01"
Weight	200
Range Qualification Date	[redacted]
PPC Qualification Date	[redacted]
Laser Training Date	[redacted]
Certified with Weapon Used?	[redacted]
Patrol Certification?	[redacted]
Certification Unit	[redacted]
Prior Shootings?	[redacted]
Number of Prior Shootings	[redacted]
Field Training Officer Emp # / Last Name / First Name / M.I.	[redacted] / [redacted] / [redacted] /
Field Training Officer Emp # / Last Name / First Name / M.I.	

E __

Field	Value
Employee #	
Last Name	
First Name	
M.I.	
Sex	
Race	
Rank	
Unit Assignment	
Work Assignment (Unit #, Module, etc.)	
ShiftTime (circle only one): EM / PM / Day	
ShiftType (circle only one): Regular / Overtime / Off Duty	
Intoxication/Drug Usage?	☐
Substance Used	
Hospital Admission?	☐
Hospital Name	
Coroner Case?	☐
Coroner Case #	
Interviewed?	☐
Hrs of sleep prior to shooting	
Duty Time (hrs)	
Clothing (circle only one): Plain Clothes no Vest / Raid Jacket w/ Vest / Plain Clothes w/ Vest / Uniform no Vest / Raid Jacket no Vest / Uniform w/ Vest	
Other Factors	
Age	
Height	
Weight	
Range Qualification Date	
PPC Qualification Date	
Laser Training Date	
Certified with Weapon Used?	☐
Patrol Certification?	☐
Certification Unit	
Prior Shootings?	☐
Number of Prior Shootings	
Field Training Officer Emp # / Last Name / First Name / M.I.	
Field Training Officer Emp # / Last Name / First Name / M.I.	

Officer Involved Shooting
Suspect Information

URN: 002-07708-0586-055

Suspect Information

S 1

Field	Value
Last Name	Romer
First Name	Robert
M.I.	L.
AKA Last Name	"Happy Youngster" "Sneaky"
AKA First Name	
AKA M.I.	
Sex	M
Race	Hispanic
Street Address	[redacted]
City	[redacted]
State & Zip Code	[redacted]
Work Phone	Unemployed
Home Phone	Unknown
Social Security #	[redacted]
Driver's License #	[redacted]
Age	24
D.O.B.	06/29/77
Height	5'08"
Weight	145
FBI #	[redacted]
CII #	
Booking #	7301532
Primary Charge	187(A) PC
Secondary Charge	
Coroner Case?	☐
Coroner Case #	
Intoxication/Drug Usage?	☒
Substance Used	Methamphetamin
Armed?	☒
Apprehended?	☒
Mental Illness?	☐
Criminal History?	☒
Vehicle Make	Dodge (Lic. [redacted]
Model	Pick Up
Year	2001

S __

Field	Value
Last Name	
First Name	
M.I.	
AKA Last Name	
AKA First Name	
AKA M.I.	
Sex	
Race	
Street Address	
City	
State & Zip Code	
Work Phone	
Home Phone	
Social Security #	
Driver's License #	
Age	
D.O.B.	
Height	
Weight	
FBI #	
CII #	
Booking #	
Primary Charge	
Secondary Charge	
Coroner Case?	☐
Coroner Case #	
Intoxication/Drug Usage?	☐
Substance Used	
Armed?	☐
Apprehended?	☐
Mental Illness?	☐
Criminal History?	☐
Vehicle Make	
Model	
Year	

S __

Field	Value
Last Name	
First Name	
M.I.	
AKA Last Name	
AKA First Name	
AKA M.I.	
Sex	
Race	
Street Address	
City	
State & Zip Code	
Work Phone	
Home Phone	
Social Security #	
Driver's License #	
Age	
D.O.B.	
Height	
Weight	
FBI #	
CII #	
Booking #	
Primary Charge	
Secondary Charge	
Coroner Case?	☐
Coroner Case #	
Intoxication/Drug Usage?	☐
Substance Used	
Armed?	☐
Apprehended?	☐
Mental Illness?	☐
Criminal History?	☐
Vehicle Make	
Model	
Year	

S __

Field	Value
Last Name	
First Name	
M.I.	
AKA Last Name	
AKA First Name	
AKA M.I.	
Sex	
Race	
Street Address	
City	
State & Zip Code	
Work Phone	
Home Phone	
Social Security #	
Driver's License #	
Age	
D.O.B.	
Height	
Weight	
FBI #	
CII #	
Booking #	
Primary Charge	
Secondary Charge	
Coroner Case?	☐
Coroner Case #	
Intoxication/Drug Usage?	☐
Substance Used	
Armed?	☐
Apprehended?	☐
Mental Illness?	☐
Criminal History?	☐
Vehicle Make	
Model	
Year	

SUPPLEMENTAL NON-EMPLOYEE WITNESSES
Los Angeles County Sheriff's Department

Non-Employee Witnesses

Last Name	First Name		M.I.
[redacted]	[redacted]		
Street Address	**Zip Code**	**Work Ph**	**Home Ph**
California Highway Patrol		(323) 980-4600	
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph

INVESTIGATIVE SUMMARY
DEPUTY INVOLVED SHOOTING: NON-HIT
SH 2064761
002-07708-0586-055

SYNOPSIS

Temple Station deputies were advised during an afternoon briefing of a possible A187 suspect, wanted by LAPD, that was living in their area. Deputies checked the suspect's address for the suspect's vehicle. The vehicle was located and surveillance was begun on the location as deputies and the field sergeant developed a plan. Just as they began discussing options, it was announced that the suspect was leaving the location. The deputies and field supervisor went into a code-9 mode, following the suspect. An air unit arrived just as the suspect entered the westbound 10 Freeway. With the air unit overhead and sufficient assets in place, the deputies initiated a felony traffic stop. Rather than stop, the suspect continued onto the southbound 710 Freeway. He exited at the Bandini/Atlantic exit and stopped in the middle of an intersection on Atlantic Blvd where he released a female passenger. The suspect fired numerous rounds at the pursuing deputies, then fled the scene. The female passenger was detained by other pursuing deputies. At one point the suspect entered the offramp of the 710 Freeway, shooting at Deputy Leyba as he did so. Deputy Leyba returned fire, then he and other deputies followed the suspect up the offramp. They all exited at the first onramp, the pursuit continuing through residential and commercial areas. During this time the suspect fired at any law enforcement he encountered, including pursuing deputies, uninvolved TSB deputies, Bell Police Officers, and CHP officers. (Deputies learned from the female passenger that the suspect was armed and under the influence of methamphetamine, and had told her he was going to "kill a cop and go to heaven.") The suspect eventually stopped in front of his [redacted]'s residence where SEB shot his tires out, disabling his vehicle. The suspect finally surrendered after a lengthy standoff. No law enforcement, civilians or the suspect himself were injured.

DATE / TIME / LOCATION

Friday, May 31, 2002
2000 hours
Bandini Avenue and 710 Freeway

INVOLVED PERSONNEL

Leyba, Robert, Deputy #[redacted] MW/[redacted] 6'01" 200 Right Handed
Temple Station
Field Operations Region I

Date of Employment: 04/96
Date Assigned to Patrol: [redacted]
Date Completed Patrol Training: [redacted]
Prior Shooting Incidents: 1
Prior Founded Force Incidents: [redacted]

[redacted], Deputy #[redacted] MW/[redacted] 6'01" 200 Right Handed
Special Enforcement Bureau
Office of Homeland Security

Date of Employment: [redacted]
Date Assigned to Patrol: [redacted]
Date Completed Patrol Training: [redacted]
Prior Shooting Incidents: [redacted]
Prior Founded Force Incidents: [redacted]

SUSPECT

Romero, Robert, Bkg #7301532 MH/24 5'08" 145 Right Handed

Arrest History: [redacted]

WITNESSES

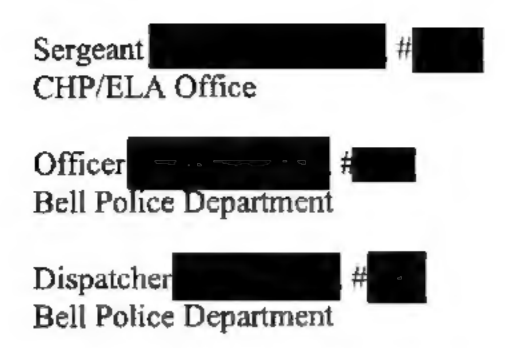
Deputy Brian Vance, #[redacted]
Temple Station

Sergeant Robert Wiard, #[redacted]
Temple Station

Deputy Mark Lindsay, #[redacted]
Transit Services Bureau

Deputy Henry Saenz, #[redacted]
Transit Services Bureau

Sergeant [redacted] #[redacted]
CHP/ELA Office



Sergeant [redacted] #[redacted]
CHP/ELA Office

Officer [redacted] #[redacted]
Bell Police Department

Dispatcher [redacted] #[redacted]
Bell Police Department

INJURIES

No law enforcement officers from any of the involved agencies were injured, nor were any civilians injured. Suspect Romero was also uninjured.

PHYSICAL EVIDENCE

Numerous 9mm casing were recovered at several locations. In addition, 1.09 grams of powder containing methamphetamine were recovered from the suspect's vehicle.

INVESTIGATOR OBSERVATIONS

No special observations noted.

WEAPONS USED BY DEPUTY PERSONNEL

Deputy Robert Leyba:	-Beretta 92F 9mm semi-auto handgun, 15+1 capacity (Department issued) -Winchester 147gr. jacketed hollow points -10 to 12 rounds fired
Deputy [redacted]	-Remington 40X .308 caliber bolt action rifle, 4+1 -Federal 168 gr. boat tail hollow point -five rounds fired

WEAPON USED BY SUBJECT

Suspect Robert Romero:	-Lorcin L9 9mm semi-auto handgun, 10+1 capacity -Various brands of 9mm ammunition (FC, WCC, ACP, IMI)

PROPERTY DAMAGE

Side view mirror on civilian car damaged from Deputy [redacted] first round. Claim handled by Civil Litigation.

CRIMINAL INVESTIGATOR/CHARGES FILED

Investigator: Detective Charles Prescott, Temple Station Detective Bureau
Court: Van Nuys Superior Court
Court Date: Pending

LIGHTING AND WEATHER CONDITIONS

Weather was dry and mild. Lighting varied along the route, but generally consisted of adequate street lighting.

INVOLVED EMPLOYEE STATEMENTS

The following are summaries of involved employees derived from interviews as well as supplemental reports.

Deputy Robert Leyba, #[redacted], said he worked 52F/P, a one man car on an overlap shift ([redacted]) the day of the incident. He stated he attended briefing and learned of an attempt murder suspect (Suspect Romero) wanted by LAPD who had a residence in their area ([redacted]). He also learned Suspect Romero might possibly be driving a 2002 Dodge truck, license [redacted] Deputy Leyba was also given a picture of the suspect. This information was very recent and was not available for previous shifts. Deputy Leyba said there was no mention of any LAPD surveillance of the residence. They were told in briefing that if they were to locate the vehicle they were to watch it covertly and do nothing more. They were specifically told not to approach the apartment, that SEB would handle that scenario. If they located the vehicle they were to immediately notify the desk.

Deputy Leyba said he left the station and drove south on Rosemead Blvd. toward the area of the suspect's residence. Deputy Leyba saw a vehicle matching the given description parked in the area on Rosemead Blvd. However, the vehicle had no attached license plates. Deputy Leyba contacted Deputies Brian Vance (52/P) and James Atkins (52T1/P) to assist in determining if the truck belonged to Suspect Romero. After meeting out of view of the suspect's given address, Deputy Vance drove Deputy Leyba up to the truck. Deputy Leyba quickly copied the VIN and checked it through DMV. He determined the truck was in fact registered to Suspect Romero and was also listed

in the system as "armed and dangerous."

After setting up a small containment of the suspect's vehicle, Deputy Leyba contacted the Watch Sergeant, A/Sgt. Ray Webb and the Watch Commander Sgt. Rodney Johnson, who both advised him to watch (Code-5) the vehicle and notify the field sergeant. Deputy Leyba contacted Sgt. Bob Wiard (50S/P) who said he would respond immediately. Sgt. Wiard arrived shortly thereafter and was being briefed by Deputy Leyba when they learned from Deputy Atkins that a male had just entered the vehicle. Deputy Leyba said he looked from Deputy Atkins' vantage point and saw a male Hispanic inside the truck that matched the description and picture they had been given earlier. The deputies went to there separate cars and saw the suspect drive south bound on Rosemead Blvd. from Pentland Ave.

Deputy Leyba positioned himself immediately behind the suspect's vehicle, noticing it now contained two occupants. (No one had seen a second person enter the truck.) He then radioed SCC and advised them he was in surveillance mode (Code-9) of an attempt murder suspect's vehicle containing two occupants. Deputy Leyba, along with several assisting units, followed the vehicle southbound on Rosemead Blvd. and were approaching the San Bernardino Freeway (Interstate 10) when he saw a Department helicopter flying above the suspect's vehicle. The suspect entered the westbound 10 Freeway and accelerated to approximately 55 mph. After coordinating with other units, Deputy Leyba said he advised SCC he was going to conduct a felony traffic stop of the suspect vehicle. Deputy Leyba activated his lights and siren in an attempt to stop the suspect. However, after following the suspect for nearly a mile with him failing to yield, Deputy Leyba advised he was now in pursuit. The air unit overhead now took over calling the pursuit, advising that the suspect was traveling between 55-65 mph and had just entered the southbound Long Beach Freeway (Interstate 710).

Near the interchange of the 710 Freeway and the 5 Freeway, the suspect vehicle came to a sudden stop. Deputy Leyba said he stopped his vehicle approximately 60 feet behind the suspect's vehicle. The suspect then rapidly accelerated in reverse, stopping approximately 25 feet from Deputy Leyba's car. The suspect then rapidly accelerated forward, continuing southbound on the 710 Freeway at 80-90 mph. The suspect exited the 710 Freeway at Atlantic Ave. He continued southbound Atlantic Ave. at 60-70 mph, then came to a skidding stop at the intersection of Atlantic Ave. and District Ave. The passenger door opened and an unidentified female exited, running westbound toward the sidewalk. This female ([redacted]) was later detained by Deputy Hector Figueroa and Deputy Paul Valle, Unit 51/P.

At the same time the passenger exited the vehicle, the suspect leaned out the driver's side door window and from a distance of about 60 yards, fired several shots from a handgun toward Deputy Leyba. Deputy Leyba said his left side spot light lens and windshield shattered from the gunshots. The suspect then accelerated rapidly southbound on Atlantic Blvd., driving much more aggressively. He then turned westbound on an unknown side street. While traveling westbound the suspect reached out the driver's window and fired several more rounds at Deputy Leyba. Deputy Leyba said the suspect began traveling along other unknown residential side streets before turning eastbound

and heading back toward Atlantic Ave. Just prior to reaching Atlantic Ave. the suspect again reached out the driver's window and fired several more rounds at Deputy Leyba. He then turned north on Atlantic Ave.

As they traveled northbound on Atlantic Ave. approaching Bandini Blvd., the suspect moved toward the right shoulder of the road where a CHP patrol car was conducting a traffic stop. Deputy Leyba said the suspect may have thought the CHP unit was part of a road block. He then heard several gunshots and saw muzzle flashes that appeared to be directed at the CHP vehicle. At the same time, two CHP officers ducked down in the car to take cover. Deputy Leyba said he stopped his vehicle as the suspect made a 4-5 point turn in order to enter the northbound exit of the 710 Freeway, traveling in the wrong direction. The suspect's maneuvers now positioned him in such a manner that the suspect vehicle was almost traveling back toward Deputy Leyba. With their vehicles separated by approximately 25-35 feet, the suspect came to a stop, raised his gun and pointed it at Deputy Leyba through the open passenger door window, firing several rounds as he did so. Deputy Leyba, fearing for his life, returned fire with his Department issued Beretta 9mm handgun. Deputy Leyba estimated he fired between 10-15 rounds. He recalls his back drop being the Army Reserve Armory containing numerous vehicles. He also remembers he must have struck the windshield or side window of the suspects truck because he saw glass shattering. The suspect then accelerated up the off-ramp into oncoming traffic.

The suspect traveled southbound along the northbound shoulder of the 710 Freeway. Deputy Leyba said he and pursuing units were ordered by Sgt. Wiard to revert back to a surveillance mode until the suspect exited the freeway. Deputy Leyba and others fell back as they followed the suspect a short distance until he exited the freeway at the Florence Ave. on-ramp. Deputy Leyba said he was advised at that time to reactivate their lights and sirens and to again actively pursue the suspect. While traveling westbound Florence Ave., the suspect leaned out the driver's door window and fired several rounds at pursuing deputies Deputy Leyba said he could see the suspect reloading his gun as his spotlight illuminated the back of the suspect's truck.

After turning ~~south~~ NORTHbound on an unknown street, the suspect led them to westbound Bell Ave, then to northbound Loma Vista Ave. where he fired several more rounds through the open rear sliding window of the truck. It was during this portion of the pursuit that the suspect fired upon a marked Bell PD patrol unit. The suspect continued northbound on Loma Vista Ave., then eastbound Gage Ave. While eastbound on Gage Ave. the suspect slowed his vehicle and once again fired several rounds at pursuing deputies. The suspect seemed to be concentrating on the area of Bell Ave., Loma Vista Ave. and Gage Ave. During this circuit the suspect fired one more time at pursuing deputies by reaching out the driver's window. The suspect also fired upon a Transit Services Bureau patrol unit that he spotted. Deputy Leyba said the suspect made an effort to fire at deputies when he could get a good angle on them, such as a bend in the road or while making a turn. Deputy Leyba said he had several opportunities to return fire at the suspect but he refrained from doing so because each time they were in a residential area. He estimated the suspect fired approximately twenty rounds during the incident.

The suspect eventually turned northbound Loma Vista Ave., stopping mid-block between Bell Ave. and Gage Ave. At this point a containment was set up and Deputy Leyba notified Sgt. Joseph O'Connor (50NS) he had fired his weapon at the suspect. Deputy Leyba took no further actions and did not witness the remainder of the incident.

Deputy [redacted], #[redacted] is assigned to SEB as a long rifleman. He stated he received a pager notification at his house advising of a pursuit of an A187/245 suspect. He responded to the Bell area, arriving approximately 30 minutes later. He saw numerous deputies behind their patrol cars, the suspect vehicle 100-120 yards north of them. Deputy [redacted] said he saw no barricade or obstacle to block the suspect's escape. He contacted Sgt. Jack Mayer, SEB K9's, and learned that in addition to the suspect currently having free egress from the area, he also had a hostage in his vehicle. He also learned the suspect had fired numerous times at law enforcement personnel during the course of the pursuit and was believed to have numerous weapons, including a rifle. Deputy [redacted] said he saw a nearby patrol car that had been struck several times by bullets. He told deputies crouched down behind two patrol units in the street to "stand down" because he was going to move in front of them. Deputy [redacted] said he is aware of how wound up a person get following a pursuit and he wanted to be sure there were no accidents. Ahead of him approximately 160 meters he saw the suspect's truck which appeared to be a newer model. He asked nearby personnel if the north end of the street had been blocked off yet and was told they were working on it at that time. Using his rifle scope and positioned just off the driver's side, he tried to look through the rear window of the truck, but was unable to do so because of the window tinting and reflections coming off the window. While he could not make out how many people might be inside the truck, he was able to discern movement.

Deputy [redacted] said he heard over the radio a request for a Suppress 22. He described the device as a .22 caliber Remington semi-auto rifle with a scope. The purpose of the weapon is to flatten tires by penetrating the sidewalls or destroy lights at relatively close distances, approximately 50 yards or less. In order to disable the tires on the suspect's truck he would have had to moved from a position behind the truck, which only allowed a shot through the tread and steel belt of the tire, to one more along the side where he could have access to the more vulnerable sidewall. Deputy [redacted] said his first thought was to deploy a spike strip or somehow block the end of the street. However, the suspect suddenly placed his truck in reverse, the back-up lights clearly visible. He quickly looked through the scope of his rifle (a Remington bolt action .308 with a magazine capacity of four rounds) and saw the suspect's vehicle rocking as he heard the engine rev. Deputy [redacted] said it was as though the suspect had trouble keeping the truck in gear. He recalls hearing Sgt. Mayer say, "If he gets any closer, shoot his tires out." Deputy [redacted] thought of the patrol car he was leaning against that had several bullet holes and felt the suspect probably had a good line of fire on it. He decided to move away from the patrol car and over to a parked civilian vehicle. Almost immediately, the suspect began backing toward the deputies that were positioned behind cars, including Deputy [redacted] Deputy [redacted] said he leaned against the civilian car and quickly looked though the rifle's scope. He said he was relieved to see that his back drop for firing at the suspect's truck tires was rims and axles from the truck itself and the street curb beyond the truck. He stated he had no safety concerns as he felt he had a solid background to shoot

against and he was using a 20X scope. He also stated that the rounds he was using (hollow tip boattail) were designed to fragment after impact, thereby dispersing the energy and making damage beyond the target negligible. Deputy [redacted] aimed at the left front tire of the suspect's truck and yelled, "SEB firing!" Deputy [redacted] wanted to be sure his gunshots did not initiate gunfire from nearby deputies. He then fired his first shot, the round destroying the side view mirror of the vehicle he was positioned against before it struck the left front tire of the truck. The truck began to slowly veer from right to left.

> **IAB Note:** Deputy [redacted] stated his rifle has a four inch "stand off". He explained that the "reticle" or center of the scope is four inches above the barrel of the rifle. While he was viewing the tires of the truck 100+ yards away, he did not notice the mirror directly in front of the barrel of the rifle. Deputy [redacted] said normally a long rifleman (such as he) is accompanied by a spotter. The purpose of the spotter is to handle the radio, watch his back, and make sure his line of fire is clear. Deputy [redacted] said he did not have a spotter and failed to notice the mirror. Once he realized his mistake, he repositioned himself along the side of the car. He also explained that normally he would use the bipod of the scope for support, but because of the exigency of the circumstances, he was forced to shoot from a leaning position against the car.

Deputy [redacted] fired again and struck the left rear tire of the truck. He then fired at the right rear, deflating it With his fourth round he struck the right front tire, but it did not appear to disable it. Deputy [redacted] quickly loaded another round and fired again at the right front tire, this time disabling it as well. Deputy [redacted] stated he believed they would have been rammed by the suspect had his truck not been disabled. Deputy [redacted] said he provided cover as Sgt. Mayer moved up approximately thirty yards along the houses facing the driver's side. Sgt. Mayer then provided cover for Deputy [redacted] who eventually took up a position on the roof of the house where he had a good visual of the suspect. With his vehicle disabled, the suspect over the course of several hours placed his handgun in his mouth and against his head. He also spoke to his family several times prior to surrendering.

WITNESS STATEMENTS

Deputy Brian Vance, #[redacted], who worked Unit 52/P, a one man car, assisted Deputy Leyba from the onset of the incident. His version of the incident was essentially the same as Deputy Leyba's, adding that he witnessed when the suspect first opened fire on Deputy Leyba, striking his spot light and causing the lens to explode. Deputy Vance also added that after the suspect fired on Deputy Leyba, his driving became very reckless, showing little regard for the safety of the public. Deputy Vance did not witness Deputy Leyba return fire. However, he did hear on numerous occasions when the suspect was firing at Deputy Leyba.

Sergeant Robert Wiard, #[redacted], was working as 50S at the time of the incident and was involved in the pursuit. Sgt. Wiard said he first became aware of the possible presence of a wanted

A187 suspect in their area when he briefed the [redacted] hour shift that day, although the briefing had first been placed on the briefing board the previous day. Deputies at that time checked the location but failed to locate the suspect. The information on the briefing board advised that the suspect drove two vehicles, gave an address in their area, and had the phone number to contact an LAPD detective if the suspect was located.

He was asked by the desk if he was monitoring the traffic regarding the 187 suspect. Sgt. Wiard said he had not but immediately got in touch with the handling unit, Deputy Leyba, and arranged a meet not far from the location of the suspect. He also had Temple Station desk notify Aero Bureau that they may be needed. Sgt. Wiard joined Deputy Leyba and had been speaking with him for less than a minute when they were advised that the suspect had just gotten into his truck and was driving away. Sgt. Wiard said when he met with Deputy Leyba his first thought was to make sure the suspect did not go mobile. However, if the danger faced by the public or deputies was greater he would consider allowing the suspect access to his car. Sgt. Wiard had not yet seen where the suspect's vehicle was parked and before he could further evaluate the situation, the suspect left.

Deputy Leyba, Deputy Vance and Sgt. Wiard followed the suspect and advised they were Code 9 (surviellling) the suspect. They followed the suspect southbound on Rosemead Blvd. to the westbound 10 Freeway. At this point an air unit arrived and they prepared to initiated a traffic stop. With the air unit in place and sufficient back up present, Sgt. Wiard directed a unit to perform a traffic break so that they could safely effect a traffic stop. They attempted a traffic stop but the suspect failed to yield and a pursuit was initiated with the air unit calling the pursuit. As the suspect led them on the pursuit, the speeds were well within Department policy parameters.

The suspect continued westbound on the 10 Freeway, then southbound on the 710 Freeway. Sgt. Wiard believes the suspect exited the freeway at the Bandini offramp, then traveled south. At District St. and Bandini Blvd. the suspect stopped and a female exited the vehicle. Sgt. Wiard had Unit 51, Deputies Valle and Figueroa, stop and detain the female. The suspect fired at deputies, then took off again. Sgt. Wiard said he did not witness the shooting, being about 50 yards behind Deputy Leyba, but could hear it occurring, describing six to eight rapidly fired shots. He also heard Deputy Leyba announce on the radio he he had just been fired upon. Sgt. Wiard said the suspect fired several more times at pursuing deputies during the course of the pursuit. He later learned that the suspect had also fired at officers from other agencies as he encountered them during the pursuit. Sgt. Wiard said he did not witness Deputy Leyba return fire at the suspect just before they entered onto the 710 Freeway in the wrong direction because he was too far back. He also stated he never saw the suspect shoot, but frequently could hear shots being fired. Sgt. Wiard said he first learned Deputy Leyba had returned fire during the pursuit when he was operating the Command Post and he was notified by Sgt. O'Connor.

Once Sgt. Wiard realized units had already started up the northbound offramp of the 710 Freeway and onto the emergency lane, he directed the units to fall back and discontinue their pursuit, then exit the freeway at the first available on ramp. Fortunately the suspect exited westbound at Florence Blvd., the first available on ramp. Sgt. Wiard said the traffic on the northbound 710 Freeway was

light as they made their way down to Florence Blvd. Once everyone was safely situated on surface streets, Sgt. Wiard authorized the pursuit to resume.

The suspect continued to lead them through surface streets, often times going in loops and covering the same ground. He eventually stopped on Loma Vista in Huntington Park and parked in the middle of the street. Sgt. Wiard and others stopped approximately 150 yards south of the suspect. As Sgt. Wiard and others noticed residents on the street, they yelled for them to go back into their houses. At one point individuals came out from a house directly across from where the suspect was parked and spoke to the him. Other deputies soon arrived including 50NS, Sgt. Joe O'Connor, of the COPS Team. Sgt. O'Conner took over control of the scene, putting together an arrest team and designated shooter as Sgt. Wiard left to assume the role of Incident Commander at the Command Post previously set up by Sergeants Sean Burke and William Cotter of ELA Station. Sgt. Wiard estimated he was out at the scene for 10-15 minutes before he went to the command post. During that time he also spoke to Sgt. O'Connor about evacuating the immediate area.

Approximately 30 minutes into the incident and while at the command post, Lt. Maxwell of SEB arrived and spoke to Sgt. Wiard. He advised Sgt. Wiard that they were going to take out the suspect's tires using a Suppress .22. Sgt. Wiard said he never heard the gunshots associated with taking out the suspect's tires. He did not know a .308 rifle had been used to take out the tires until well after the incident had concluded.

Sgt. Wiard said the operation went reasonably well other than the lack of warning to everyone that SEB was going to be firing. He said he and Sgt. O'Connor worked well together and he learned a great deal from the experience. His only suggestion would be for SEB to provide someone as a liaison with the command post at the beginning of an incident to help avoid any confusion.

Sergeant Joeseph O'Connor, #[redacted] was working 50NS (a COPS Team sergeant) the night of the incident. Sgt. O'Connor stated he had just come on shift when he heard over the radio that deputies were code 9, following an A187 suspect. Sgt. O'Connor was close by and immediately responded to assist. He arrived on Rosemead Blvd. to find Deputy Leyba behind the suspect, followed by Deputy Vance and Sgt. Wiard. Sgt. O'Connor took a position at the rear. The four of them followed the suspect southbound Rosemead Blvd. to westbound on the 10 Freeway. Sgt. Wiard and Deputy Leyba coordinated a traffic stop with the assistance of an air unit and Sgt. O'Connor began a traffic break on the freeway.

The suspect failed to stop and continued onto the southbound 710 Freeway. The suspect stopped on the freeway, then continued southbound where he exited at the Bandini Blvd. offramp, then continued southbound on Atlantic Ave. He again stopped in the middle of an intersection and a female exited his truck. The traffic in the area, both on the freeway and on the surface streets, was light and the speeds they were traveling at were slow to moderate.

Sgt. O'Connor said he was the last patrol car following the suspect at this point. Once they stopped he got out of his car and began making his way forward. Before he could reach the front of his car

he heard 6-10 rapidly fired gunshots. This was immediately followed by the sound of bullets whizzing past him. It was then that he realized the suspect was shooting at deputies. Sgt. O'Connor said he was only aware of himself and the deputy in front of him actually exiting their vehicles, saying the gunshots occurred immediately after the suspect stopped his vehicle. The suspect then accelerated away from the stopped patrol units, leading deputies through various residential and commercial areas.

During the course of the pursuit Sgt. O'Connor heard the suspect fire at other uninvolved law enforcement officers as they were passed during the pursuit. Deputies Leyba and Vance announced this information over the radio as well. At one point the suspect entered the northbound offramp of the 710 Freeway. As he did so, Sgt. O'Connor heard several gunshots. He saw two CHP officers near the offramp that were crouched down in a protective manner. Sgt. O'Connor assumed the suspect was firing but did not know at the time that Deputy Leyba had actually come under fire and was protecting himself by returning fire. The suspect continued onto the freeway, traveling southbound in the northbound lanes. Sgt. O'Connor followed the other patrol cars up the offramp, thinking to himself a quick decision needed to be made weighing the pros and cons of chasing an A187 suspect who was actively shooting versus jeopardizing the public's safety. Sgt. O'Connor said fortunately the northbound traffic was heavy and forced the suspect and deputies to travel on the shoulder of the freeway. Just then, Sgt. Wiard announced on the radio that regardless of what the suspect did, they were going to exit at the first available onramp. It just so happened that the suspect also chose to exit at the first onranmp, that being Florence Blvd.

Sgt. O'Connor said there was very good communication occurring between Sgt. Wiard and Deputies Leyba and Vance. Sgt. Wiard insured that the two lead pursuit vehicles stayed far enough back to minimize being struck by gunfire coming from the suspect. By now assisting units from East L.A. Station as well as Century Station were also involved in the pursuit. Once off the freeway, the suspect led them through a residential area, eventually stopping in the middle of Loma Vista Street at what Sgt. O'Connor later learned was the suspect's [redacted]s house. Pursuing deputies stopped at the beginning of the street.

Once everyone came to a stop behind the suspect and it appeared he was not leaving right away, Sgt. O'Connor got together with Sgt. Wiard and began planning. Sgt. O'Connor said they decided that Sgt. Wiard would fall back and set up a command post (with the help of two additional sergeants from East L.A. Station) and act as the Incident Commander for the operation. Sgt. O'Connor would stay at the scene and be the Incident Commander for the scene. They also decided, along with SEB (K9) Sgt. Mayer who had just arrived, that the suspect was not going to leave the area and continue to threaten the public's safety, and began making plans to barricade the end of the street. With the help of an air unit, they set up a containment of the overall area. It was also during this time that Deputy Leyba sought out Sgt. O'Connor and advised him that he fired his weapon. Sgt. O'Connor said he advised Deputy Leyba to advise Sgt. Wiard at the command post of his having fired his weapon. He also told him that they had plenty of personnel and that he should remove himself from the incident at that point.

Sgt. O'Connor said he has worked with Sgt. Mayer in the past and immediately put him to work. He said he designated Sgt. Mayer and and his K9 officers as a rapid deployment contact team, instructing Sgt. Mayer to get his AR15 and become a designated shooter. There role was to insure that if the suspect left his truck he would not leave the area. He also assigned two patrol deputies to assist Sgt. Mayer, one by carrying a shotgun while the other deployed with less lethal force. Sgt. O'Connor said he made sure that everyone knew that Sgt. Mayer and his team were the ones who would contact the suspect if neccessary. He also made sure that all other AR15s were grounded. He wanted to make sure that panic fire did not erupt. In addition to tasking the two additional sergeants (Sgt. Sean Burke and Sgt. William Cotter of ELA) with helping set up the command post, Sgt. O'Connor requested they handle containment of the area.

Shortly thereafter the suspect began to drive slowly down the street. Sgt. O'Connor followed behind a radio car accompanied by Sgt. Mayer and his team which now included an SEB sniper. The suspect came to a stop at a point where the street began an "S" turn. Sgt. O'Connor believes he probably stopped because he could see that the end of the street had been blocked by radio cars.

Sgt. O'Connor became concerned when he realized that as a COPS Team sergeant he was dressed in a polo shirt with minimal insignia. This, combined with the fact that he had deputies from multiple units, caused him to question how visible he actually was to others as the scene Incident Commander. However, With Sgt. Mayer at point and dressed with appropriate insignia displayed, Sgt. O'Connor felt assured a command presence was visible. Just as he was contemplating this six gunshots rang out from an SEB member ten feet from him. He estimated they were approximately 40 yards behind the suspect at this point. Sgt. O'Connor said his immediate concern was panic or reactive fire from other deputies. Immediately the radio came alive with deputies asking about the gunfire. Sgt. O'Connor said he recalls someone saying, "Take his tires out" just prior to the gunshots. He believes this was transmitted over SUD frequency used by SEB but not the tactical frequency used by everyone else. Sgt. O'Connor quickly got on the radio and announced it was SEB shooting out the suspect's tires and for everyone to stand down. Sgt. O'Connor stated he was not aware of the sniper's presence, nor was he aware of the plan to take out the suspect's tires. However, he emphasized that the situation was very fluid with events unfolding quite rapidly. He understood why the tires were taken out, and once that brief moment of excitement had past, he spoke to Sgt. Mayer, reminding him that everyone on scene needed to be made aware on all frequencies when SEB was going to take action.

Sgt. O'Connor said that when the tires were shot out they had not yet had a chance to begin evacuating the area. Immediately after the suspect's tires were deflated, additional SEB members began arriving. As SEB members evacuated the houses in the immediate area, patrol deputies saw to evacuating the outlying areas.

Sgt. O'Connor learned that the suspect had told his girlfriend he would not be taken alive. He watched as the suspect on several occasions put his gun to his head or into his mouth. After a lengthy standoff and with the assistance from the Crisis Negotiation Team, the suspect surrendered peacefully.

Sgt. O'Connor expressed some overall concerns regarding the operation. His first concern regarded the COPS Team uniform and the lack of visibility presented by the collar chevrons for sergeants. He feels strongly that all Polo type shirts should have full sergeant chevrons placed on the sleeves to aid in identification. It was his distinct impression that several deputies from other stations to whom he issued orders had trouble recognizing him as a sergeant, possibly delaying implementation of his orders Secondly, Sgt. O'Connor said he felt very much out of the loop once the Duty Commander and Duty Captain arrived (Commander Mallon and Captain Grossman), along with the arrival of Lt. Maxwell. He stated he understands the role of an Incident Commander but felt somewhat set aside with the arrival of higher ranking Department members. No one sought out his input or observations and he had to force his way into their conversation to insure he was kept in the loop. Sgt. O'Connor said that in an operation such as this, with multiple units participating, it is not uncommon at the conclusion for everyone to depart the area, leaving the Incident Commander holding the pieces and the handling station retaining responsibility for the operation. He also feels that because of the necessary manner in which the Duty Commander/Captain must enter into discussions on scene at major incidents, some sergeants and lieutenants may feel there role as an incident commander has ended. Sgt. O'Connor would like to see more training on the handling of major incidents, including the duties and responsibilities of all involved.

Sergeant Jack Mayer, #[redacted], is assigned to SEB as a K9 Sergeant. Sgt. Mayer stated he was on duty monitoring all radio frequencies when he heard a pursuit was in progress in the Temple Station area. This was followed shortly thereafter by a request for K9 involvement in the pursuit. Sgt. Mayer said he and three other K9 officers responded to the request from SEB Headquarters in East LA. Sgt. Mayer trailed the other SEB K9 officers but was advised during their portion of involvement in the pursuit that the suspect was driving on the wrong side of the freeway and had fired several times at various deputies. He arrived at the termination of the pursuit approximately a minute later. He was advised by a sergeant that they needed a response team and arrest team. Sgt. Mayer said he organized both at the location. He also deployed his AR15 and advised he was doing so.

Sgt. Mayer said the suspect vehicle was 50-75 yards north of them. On the outside of the vehicle were several people apparently talking to the suspect. With the aid of binoculars, he was able to see the suspect inside the vehicle, talking to people on the outside of the vehicle. At the time, Sgt. Mayer was unaware that these people were family members, and considered them potential hostages. He immediately requested a SWAT roll-out, mindful of the typical 45-60 minute lag in getting a SWAT team to a location. Several PA announcements were made to the suspect ordering him to give up. These efforts were unsuccessful. Sgt. Mayer spoke to the field sergeant (he does not recall who it was) and told him he was concerned that a hostage situation could evolve. He also began directing other deputies to block off the end of the street. Sgt. Mayer said the suspect represented a danger to the community as he had already demonstrated his willingness to fire at law enforcement officers and risk the safety of the public through his evasive driving. Sgt. Mayer said by now there were three sergeants on scene. He and another sergeant were at the incident site while a third sergeant began setting up a command post. Sgt. Mayer stated he advised everyone that he was the supervising officer at the incident site.

Sgt. Mayer said he directed all deputies to hold their fire, then chose three designated shooters-himself with an AR15, a deputy with an AR15, and another deputy with a shotgun. Sgt. Mayer was positioned in the middle of the street, the other AR15 was on the south side of the street while the person with the shotgun was positioned on the north side of the street. Sgt. Mayer deployed his three canine deputies in a similar fashion. He also had deputies positioned up high in a nearby building to obtain additional views of the suspect. However, their view was blocked by trees and telephone poles.

The suspect vehicle began to slowly move north on the street. Sgt. Mayer and his designated shooters followed, using the cover of a radio car or other objects as they became available. The suspect vehicle stopped at a bend in the street. Sgt. Mayer said he advised all personnel (those deputies with him as well as deputies to the rear and in front of him at the north end of the street) that the vehicle was now stopped. At this point Sgt. Mayer said he and the others near him were approximately 100 yards behind the suspect vehicle. Sgt. Mayer had just learned that the suspect's girlfriend, who had been released earlier, stated the suspect told her he would not be taken alive and that he intended to get in a shooting with deputies. Based on the suspect's actions up to this point, Sgt. Mayer felt the suspect was fully capable of carrying out those declarations. He said he was concerned that if the suspect continued forward, he might engage the deputies at the north end of the street. Although the north end of the street had been blocked now by numerous radio cars, he was still concerned that the suspect could ram the vehicles and engage the deputies at the north end of the street. Sgt. Mayer was also concerned of the possibility of the suspect backing into the deputies, and the fact that residents still needed to be evacuated from the area for their safety as well as to keep them from becoming potential hostages.

It was at this point that Deputy [redacted], the SEB long rifleman arrived. Sgt. Mayer said he directed Deputy [redacted] to shoot the tires of the suspect's vehicle should it back up toward them. He said he gave this direction because the vehicle would need to be disabled and Deputy [redacted] had a rifle while he had only iron sights, and the person with the shotgun would not be effective at the range they would be shooting. They assessed the situation and felt that despite the use of the high power weapon, the rounds would be sufficiently destroyed as they struck the truck tires and presented a minimal risk down range. Sgt. Mayer estimated that up to this point approximately thirty minutes had elapsed since his arrival.

Moments later the back-up lights on the suspect's truck came on and they could hear the engine rev. Sgt. Mayer said he told Deputy [redacted] to shoot the tires out. Prior to each shot fired by Deputy [redacted], Sgt. Mayer said he announced over the working frequency that SEB was firing, not the suspect. He later learned that some of SEB members present did not hear the announcements because they were on their SUD (Special Unit Dispatch) frequency.

Sgt. Mayer said he did not discuss the use of the "Suppress .22" with anyone prior to the use of Deputy [redacted] rifle. He was not aware if one was available, but stated even if there was, he would not have used it. The range they were firing at combined with the low velocity of the .22 round exceeded its capability in penetrating the tread wall of the truck tires. If by chance the round

could have penetrated the tread wall, they were left with the possibility that the damage would have been minimal, resulting in a slow deflation (as opposed to a rapid deflation) allowing the suspect time to drive away.

Sgt. Mayer was aware that the first round fired by Deputy [redacted] had struck the side mirror of the vehicle he was leaning against. He explained that a long rifleman is normally accompanied by a spotter who would have identified the problem and corrected the alignment. He himself was sighting in on the suspect vehicle providing coverage for Deputy [redacted] and was unable to perform as a spotter. Sgt. Mayer also spoke of the use of canines in such a situation. Had the suspect exited his vehicle they could have sent a canine to bring him down. However, do to the presence of civilians near the truck at various points and the range from which the dog would have to be released, there was a possibility the dog would identify the wrong target, since they are fixated primarily on movement. Sgt. Mayer said that while the dog could be called back, there was a chance that he could break training if he were called back several times. Later on, when the full SWAT contingent was present and they were able to get much closer to the suspect vehicle by using an armored vehicle, the plan was to send in a dog should the suspect exit while still in possession of a weapon. At that point, because of their close proximity to the suspect, there would be little or no risk of the dog misidentifying his target.

Sgt. Mayer said that at the time shots were fired to disable the suspect's vehicle, Hostage negotiators had not yet arrived, but were en route. He stated that had he had a scope equipped AR15, he might have himself have fired sooner, although that might have "spooked" the suspect into a rash action because there were still civilians approaching the vehicle at times.

Once the suspect's vehicle was disabled, Sgt. Mayer said he assisted in the evacuation of the local residents and later scouted for the SWAT team. He did not have any contact with Lt. Maxwell until after the incident was concluded.

Deputy Hector Figueroa (#[redacted]) and Deputy Paul Valle (#[redacted]) worked Unit 51/P. They became involved in the pursuit early on, and detained [redacted] FH/18 after she fled from Suspect Romero's vehicle. The deputies stated they were assisting in the pursuit when they saw the suspect's vehicle slow and then stop in the intersection of Atlantic Ave. and District Blvd. A female wearing a red top exited the suspect's blue truck and ran to the southwest corner of the intersection. Deputies Figueroa and Valle detained Ms. [redacted] pending a determination as to her involvement in the incident.

They described Ms. [redacted] as being extremely upset and crying over the circumstances. They asked her who was driving the vehicle. Ms. [redacted] replied, "Sneaky," (AKA Robert Romero). She stated to them that she met Sneaky about a year ago but lost contact with him. She met him again recently and he asked her to dinner. When the deputies asker her if he was armed, she said, "He has a gun. I don't know what kind. It's black like yours." The deputies then asked her how she got out of the vehicle. She stated Sneaky told her he was going to shoot a cop. She said she told Sneaky, "Do what you want, but let me out." Sneaky told her to open her door as they exited the freeway. He

then told her he was going to die that day and that he would see her in Heaven. He then stopped the car and she ran away.

The deputies also learned from Ms. [redacted] that Sneaky had consumed beer and "Crystal" (crystalized methamphetamine) earlier in the day at his apartment. Ms. [redacted] claimed she declined his offer to participate. Ms. [redacted] said Sneaky had been acting "crazy" all day. He said earlier that he was going to shoot a young cop, and when they picked up food at a Church's Fried Chicken Restaurant he told her, "This looks like a good place to jack. I could rob them, jump over the fence, get in my car and never get caught." While at Sneaky's apartment he also showed her a shotgun he kept under a pillow.

Lt. Pat Maxwell, # [redacted] is assigned to SEB and was the on-call lieutenant who responded to this incident. Lt. Maxwell stated he received a call from the SEB desk advising him K9 units were involved in the pursuit. He turned on his portable radio and began to monitor the incident, learning the pursuit had just exited the 710 Freeway and was now on surface streets. Lt. Maxwell said he learned over the SUD frequency that two K9 units were involved in the pursuit and that Sgt. Jack Mayers was also involved, although he did not know if Sgt. Mayer was actually in the pursuit. He also learned that patrol deputries had already exchanged gunfire with the suspect who was wanted on attempt murder charges.

Once the pursuit had stopped on Loma Vista Street and the suspect refused to come out, he realized he had a barricaded suspect and declared a full SWAT call-out. Lt. Maxwell learned that deputies could not get close enough to deploy spikes strips. His concern was that the suspect had already fired at deputies and he still had the ability to go mobile. Lt. Maxwell did not want the suspect to begin another pursuit and endanger civilians and deputies further. He called SEB desk and directed that an ELA deputy be tasked with picking up a Suppress .22 from SEB, then respond code-3 to the command post. Lt. Maxwell wanted the Suppress .22 available for responding SEB members as a tool to take out the tires of the suspect's truck. Lt. Maxwell described the Suppress .22 as a silenced .22 caliber rifle, used primarily for taking out lights that might illuminate SWAT team members. He was unsure of the Suppress .22's cabaility in taking out a tire and had no information at the time as to the type of tires the suspect had or the overall layout of the scene.

Lt. Maxwell said he arrived at the command post approximately 30 minutes after first being notified of the incident. It was then that he learned that Sgt. Mayer had directed SEB Deputy [redacted] to shoot out the suspect's tires with a .308 rifle. He was later told by Sgt. Mayer that the suspect had suddenly placed his truck in reverse and was driving back toward deputies. He chose to take out the tires rather than allow the suspect to travel back to a point where deputies would feel forced to open fire, resulting in numerous gunshots. Also, the Suppress .22 had not yet made it out to the scene, leaving Sgt. Mayer the option of shooting the tread wall of a truck tire with an AR15 with iron sights or a .308 with a scope. Lt. Maxwell said that firing a high powered rifle may not be his first choice in handling such an incident. However, based on the circumstances relayed to him by Sgt. Mayer, and knowing Sgt. Mayer's military and tactical background, he has faith that Sgt. Mayer acted appropriately under emergent circumstances.

Deputy Henry Saenz, # and Deputy Mark Lindsay, # , were working Unit 605F from the Transit Services Bureau. They were southbound on Atlantic Blvd. at Florence Ave. when they saw the pursuit pass them going westbound on Florence Ave. They monitored the pursuit from a distance, eventually continuing east on Bell Ave. as the pursuit turned north onto Loma Vista Ave. The deputies noticed residents outside their houses, watching the pursuit. The deputies began advising the residents over their PA system to return to their houses. As they approached Orchard Ave., they saw the air unit monitoring the pursuit coming toward them. The deputies stopped their car and took cover, Deputy Saenz behind an electrical power box and Deputy Lindsay behind a parked vehicle. As the suspect turned westbound on Bell Ave. in their direction, they watched as he raised his right hand and fired a single shot in their direction. The round missed, the suspect drove past them, and Deputies Saenz and Lindsay later assisted in the containment, later notifying the command post the suspect had fired at them.

Officer and Dispatcher are both employed with the Bell Police Department. They were traveling westbound on Gage Street when they learned over their scanner of a pursuit heading directly at them. At the same time, they saw a truck approaching them eastbound. As the truck past them, they saw the suspect extend his arm and fire 4-6 rounds at their marked police vehicle. Neither Officer or Dispatcher were injured, nor was their vehicle struck by gunfire.

Sergeant and Sergeant , CHP, were traveling in a standard marked patrol unit. They heard over CHP radio that LASD was in pursuit of a 187 suspect on the 10 Freeway and requesting assistance. Sgt. and Sgt. began traveling westbound on the 10 Freeway when they heard an update from their dispatch saying that LASD was not requesting assistance, and that all CHP units must disengage from the pursuit. Sgt. said they decided to continue toward the pursuit to ensure all CHP units had in fact left the pursuit. Because of their distance from the pursuit when it actually began, combined with the typical lag between LASD dispatch and CHP dispatch, Sgt. never caught up with the pursuit. They traveled southbound on the 710 Freeway and decided to exit at Firestone Blvd. They reentered the 710 Freeway and began traveling northbound. As they did so, they heard another update from their dispatch that the pursuit had exited the 710 Freeway at the Bandini/Atlantic exit. Sgt. exited at Bandini/Atlantic Blvd. but did not see the pursuit. However, he did see a disabled vehicle that was at the bottom of the off ramp, parked along the curb. Sgt. and Sgt. stopped northbound on Atlantic Blvd. just beyond the off ramp and behind the disabled vehicle to offer their assistance, their rear deck lights flashing. Just then they noticed the pursuit heading northbound on Atlantic Blvd. in their direction. They quickly told the motorist to get down in their car, then both sergeants jumped into their vehicle as Sgt. turned off his rear deck lights, not wanting to draw the attention of the 187 suspect. As Sgt. watched in his rear view mirror, the suspect neared them and made a hard right turn that took him up the northbound off ramp of the 710 Freeway, traveling in the wrong direction. Sgt. believes the suspect may have taken this route because of heavy traffic and the appearance that their CHP unit was blocking his path. As the suspect made his turn, Sgt. and Sgt. heard several gunshots ring out. Sgt. said he crouched down when he heard the gunshots. Neither he nor Sgt. actually

witnessed the shooting. Both he and Sgt. [redacted] believed the suspect was firing at them. Sgt. [redacted] also said he heard no difference in tone between any of the gunshots. The suspect continued southbound on the northbound side of the freeway with numerous Sheriff's patrol units following.

Sgt. [redacted] said he broadcast over his radio that shots had been fired. He then requested additional CHP units and searched the area for any shell casings. They were unable to locate any shell casings.

[redacted] was the female friend of the suspect. She stated she knew the suspect as "Sneaky" or "Sneazy". She had not seen him for over a year when she ran into him at a local store on Wednesday, May 29, 2002. They exchanged cell phone numbers and she called him on Thursday. The suspect called her on Friday and they arranged for him to pick her up at approximately 1500 hours. They drove to a restaurant (Church's Fried Chicken) where they had lunch, then drove to his house. At about 1830 hours she phoned her mother saying she would be home in about 15 minutes.

They walked out to his truck and drove away. She immediately noticed numerous police cars behind them. At this point they did not have their lights or sirens on. They entered the westbound 10 Freeway and the police were still behind them. They continued onto the southbound 710 Freeway. [redacted] said she told the suspect, "They're following you." The suspect replied, "Watch this." He stopped on the freeway, then suddenly backed up toward the police that were following him, striking the lead patrol car. He then quickly drove away. [redacted] asked what he was doing and the suspect replied, "I'm going to shoot a cop tonight. I'm going to go to heaven." He then pulled a black gun from out of the center console and placed it between his legs. She described him as knowing exactly what he was doing.

[redacted] said she became very scared and asked to be let out. The suspect told her to open the door a crack and when he stopped she could quickly get out. The suspect stopped on Atlantic Blvd. and she exited his truck, running away from him. The suspect then accelerated away with the police following him. [redacted] said she was detained by one of the units. After being searched she was placed in a patrol car where she heard over the police radio that the suspect was now shooting at officers.

SUSPECT STATEMENT

Suspect Robert Romero, Bkg #7301532, asserted his Fifth Amendment Right and chose not to speak to investigators.

MISCELLANEOUS

None